

### Remarks/Arguments

Claim 1 remains pending. Reexamination and reconsideration are requested.

Claim 1 has been amended to correct a typographical error and to more clearly describe what the applicant regards as the invention. Claim 1 has been further amended to distinguish over the primary reference, Filion et al., to recite that the one or more switches are embedded in the foam layer and underlie a substantially flat or arcuate surface region of said skin layer. Support may be found at paragraph [0040] of the published U.S. application which recites "[m]ore preferably, the switch **30** provides a substantially flat or arcuate surface region **32** in outer surface **18** of skin layer **26** without any bumps, ridges or other disruptions in outer surface **18**."

In addition, claim 1 has been amended to emphasize that the skin layer consists of polyurethane, polyethylene, polypropylene, thermoplastic polyolefin polymers and a pigment, and an outer skin layer surface having a color. Support can be found at paragraph [0053] and [0057] which make clear that these are the only materials relied upon for interaction with the laser and which materials/pigment, on their own, allow for color change. It is submitted that such amendment precludes the reading of the claim on the use of laser-absorbing additives, which as discussed more fully below, are a requirement of U.S. 5,630,979, which is of record. Accordingly, no new matter has been entered.

Claim 1 has been rejected under 35 U. S. C. § 103(a) over Filion et al. (USP 5,952,630) in view of Welz et al. (USP 5,630,979).

Filion, et al. appears to be directed at a door arm rest including a switch panel portion comprising a substrate, a foam layer and a flexible skin with a plurality of low-profile force sensitive variable resistor sensors embedded in the foam layer. The specification indicates that "Indicia **41** can be printed on an outside face surface of the flexible skin to indicate to occupants the function of each force sensitive resistor switch as shown in **FIG. 1**" (see column 6, lines 8-10 of '630, emphasis added). The Specification goes on to recite that "a transparent protective coating **43** may then be applied to the outside surface of the skin and the indicia", (to keep the indicia from rubbing off). Further, Filion et al. recites that "[t]he flexible skin **58** is

raised up from the general plane of the flexible skin **58** in an area **62** so that the membrane switch can be located by feel.” **FIGS 1-4** of Filion et al. illustrate this feature.

Thus, the teachings of Filion, et al. appear limited to armrests having indicia printed on the outer raised surface overlying the embedded sensors, wherein a coating may be applied to protect the printing. Filion, et al. is silent as to projecting a laser beam on a deformable polymer skin layer to change the color of that layer relative to a portion of the skin layer not contacted by the laser, to create a marking to indicate where a force may be applied to activate one or more switches. (See amended claim 1.)

As the Examiner has noted at page 3 of the Office action, Filion et al. does not teach that the skin is colored. Further, at page 4 of the Office Action, the Examiner notes that Filion et al. does not teach marking an outer skin layer using a laser.

The Examiner next turns to U.S. 5,630,979, Welz et al., to make up for the deficiencies of Filion et al.

Welz, et al. ('979) appears to be directed at a process for the inscription of moldings based on thermoplastic urethane elastomers.

However, Welz et al ultimately discloses the exposure of a mixture of thermoplastics and additives to high energy radiation, the additive being a laser absorbing copper phosphate mixed with an inorganic phyllosilicate coated with TiO<sub>2</sub>, SiO<sub>2</sub>, SnO<sub>2</sub> or a copper phosphate mixed with a conductively doped compound on a silicate core.

Note that all of the examples in Welz et al. are directed at bar coding of white, or yellow injection moldings containing the laser absorbing additive copper phosphate. In fact, in comparative example 1, Welz et al reports that when there is no use of additives (laser absorbers) the results are such that the bar code that he seeks to inscribe is “not legible.”

As noted above, the claims have been amended to recite that the skin layer consists of polyurethane, polyethylene, polypropylene, thermoplastic polyolefin polymers and a pigment. Again, this precludes the use of laser absorbing additives (Welz et al). Accordingly, it is believed that the claims herein now distinguish over Filion et al in combination with Welz et al.

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In consideration of the remarks hereinabove, Applicant respectfully submits that all claims currently pending in the Application are believed to be in condition for allowance. Allowance at an early date is respectfully solicited.

In the event the Examiner deems personal contact is necessary, please contact the undersigned attorney at (603) 668-6560.

In the event there are any fee deficiencies or additional fees are payable, please charge them (or credit any overpayment) to our Deposit Account No. 50-2121.

Respectfully submitted,

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